

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES	:	CRIMINAL ACTION
	:	NO. 09-733-01
v.	:	
	:	CIVIL ACTION
JONATHAN COBB	:	NO. 13-4754
	:	

**O R D E R**

**AND NOW**, this **9th** day of **September, 2014**, upon consideration of Petitioner's pro se Motion to Vacate, Set Aside, or Correct his sentence pursuant to 28 U.S.C. § 2255 (ECF No. 221) and for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that the motion is **GRANTED in part** and **DENIED in part** as follows:

- (1) The Court **shall hold an evidentiary hearing** as to only Petitioner's claim of ineffective assistance due to Counsel's failure to inform Petitioner of the option, and benefits, of entering an open plea;<sup>1</sup>
- (2) The balance of Petitioner's § 2255 claims are **DENIED**; and
- (3) At the conclusion of the evidentiary hearing, the Court will determine whether a certificate of

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<sup>1</sup> An appropriate order follows providing the date and time of the evidentiary hearing, and for appointment of counsel for Petitioner.

appealability shall issue as to any of the  
petitioner's claim.

**AND IT IS SO ORDERED.**

/s/ Eduardo C. Robreno  
EDUARDO C. ROBRENO, J.